

CHAPTER 89-04-02
PROCEDURE FOR SUBMISSION AND APPROVAL OF WATER
MANAGEMENT PLANS

Section

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89-04-02-01. Filing initial water management plan. Upon receipt of a complete water management plan, the state engineer shall cause the plan to be reviewed to determine if appropriate requirements are satisfied. Such review shall be complete when possible not more than sixty days from the date of receipt of a complete application.

General Authority: NDCC 28-32-02, 61-02-11, 61-03-13

Law Implemented: NDCC 61-02-14

89-04-02-02. Incomplete water management plan. If the water management plan is defective, or if the information contained therein is insufficient to enable the state engineer to make an informed decision on the water management plan, the water management plan shall be returned to the applicant for correction. The state engineer shall note thereon the information necessary to complete the water management plan.

General Authority: NDCC 28-32-02, 61-02-11, 61-03-13

Law Implemented: NDCC 61-02-14

89-04-02-03. Approval of water management plan. The state engineer shall note approval of a water management plan upon determination that appropriate requirements have been satisfied. Approval shall be in the form of a letter to the applicant, stating that appropriate requirements have been satisfied and that permit requirements of the state water commission and the state engineer for construction proposed at that time have been met.

General Authority: NDCC 28-32-02, 61-02-11, 61-03-13

Law Implemented: NDCC 61-02-14

89-04-02-04. Modification. Before approving the water management plan, the state engineer may require modification of the water management plan as necessary to meet the requirements of this article.

General Authority: NDCC 28-32-02, 61-02-11, 61-03-13

Law Implemented: NDCC 61-02-14

89-04-02-05. Update of plan. An operator shall be required to amend the operator's water management plan yearly so that the plan shall reflect all

mining operations affecting water resources to be conducted within not less than the succeeding three years. Such amendments shall be submitted to the state engineer on or before the thirty-first day of January of each year.

General Authority: NDCC 28-32-02, 61-02-11, 61-03-13

Law Implemented: NDCC 61-02-14